

MACOMB TOWNSHIP PLANNING COMMISSION  
MINUTES MEETING AND PUBLIC HEARING  
HELD TUESDAY, JULY 5, 2005  
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LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MICHIGAN 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN  
DEAN AUSILIO, VICE-CHAIRMAN (arrived at 7:13 p.m.)  
MICHAEL D. KOEHS, SECRETARY  
MEMBERS: JOA PENZIEN  
CHARLES OLIVER  
ARNOLD THOEL  
DEBORAH ZOLNOSKI

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Township Attorney  
Jerome R. Schmeiser, Community Planning Consultant  
(Additional attendance on file with Clerk)

Call Meeting to Order.

Chairman GALLAGHER called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

1. Roll Call.

Clerk KOEHS called the roll. Member AUSILIO arrived at 7:13 p.m.

2. Approval of Agenda Items (*with any corrections*)

**MOTION by THOEL seconded by ZOLNOSKI to approve the agenda as presented.**

**MOTION carried.**

**MOTION by KOEHS seconded by AUSILIO to amend the agenda to include an additional agenda item listed as number 12. Technical Change to Site Plan; Hall Road Office Buildings; Located on the north side of Hall Road approximately ¼ mile west of Romeo Plank Road; Dr. Russell Craig, Petitioner. Permanent Parcel No. 08-32-400-013.**

**MOTION carried.**

3. Approval of the June 21, 2005 previous Meeting Minutes

**MOTION by PENZIEN seconded by OLIVER to approve the June 21, 2005 meeting minutes as submitted.**

**MOTION carried.**

**AGENDA ITEMS:**

4. **Rezoning; Residential One Family Urban (R-1) to Commercial General (C-2);** Located on the southeast corner of 24 Mile and Garfield Roads. Michael Magnoli, Petitioner. Permanent Parcel No. 08-17-100-019  
*(Tabled from the June 7, 2005 Planning Commission Meeting)*

*Tabled indefinitely at the petitioners written request dated June 20, 2005*

5. **Site Plan; Waterstone Office Center;** Located on the east side of Card Road approximately 456 feet north of Hall Road. Sterling North LLC, Petitioner. Permanent Parcel No. 08-35-300-006 & 007.*(Tabled from the January 4, 2005 Planning Commission Meeting)*

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for denial.

Petitioner Present: Antonio Cavaliere

Public Portion: None

**MOTION by KOEHS seconded by PENZIEN to approve the Site Plan; Waterstone Office Center subject to the petitioner receiving a variance from the Zoning Board of Appeals approving the setback of the wall on the north side of the property, and the petitioner executing a Cross Access Agreement with abutting properties. Said agreement must be reviewed and approved by the Township Attorney and Township Engineer and the exact location for the Cross Access Easement shall be noted on the site plan. A recorded copy must also be on file with the Clerk's office. Permanent Parcel No. 08-35-300-006 & 007. This motion is based the Community Planning Consultants recommendations as follows:**

1. **The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.**
2. **The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis**

- for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
  4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
  5. Sidewalks to be provided to the satisfaction of the Township Engineer.
  6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
  7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
  8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
  9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.

10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
11. That all signs be designated on the site plan and meet the Township requirements.
12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
18. That in the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.

20. That all requirements of the Zoning Ordinance be met.
21. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
22. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture.
23. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

24. That the petitioner apply for and receive a variance from the Zoning Board of Appeals for the setback of the wall on the north side of the property.
25. That the petitioner execute a Cross Access Agreement with abutting properties. Said agreement must be reviewed and approved by the Township Attorney and Township Engineer. The exact location for the cross access agreement shall be noted on the site plan. A recorded copy must also be on file with the Clerk's office.

**MOTION carried.**

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6. **Revised Site Plan; Chippewa Valley Pre-School;** Located west of Card Road, approximately 1,469 feet south of 23 Mile Road. Chippewa Valley School District, Petitioner. Permanent Parcel No. 08-22-200-009

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Jeffrey Atkins

Public Portion: Township resident discussed the pre-school hours and addressed concerns regarding flooding concerns located on the northern portion of the property.

**MOTION by AUSILIO seconded by PENZIEN to approve the Revised Site Plan; Chippewa Valley Pre-School subject to the installation of an 8 foot pedestrian pathway located on Card Road and noted on the plan. That the dumpster area be relocated to the southwest corner of the parking lot and that the greenbelt be enhanced between the parking lot and the north property line to prevent lights from vehicles from causing a nuisance to residence to the north. Permanent Parcel No. 08-22-200-009. This motion is based the Community Planning Consultants recommendations as follows:**

1. **The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.**
2. **The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.**
3. **The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.**
4. **The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.**

5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in the amount of \$302,293.25 as approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.
10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
11. That all signs be designated on the site plan and meet the Township requirements.
12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.

14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
18. That in the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
20. That all requirements of the Zoning Ordinance be met.
21. Since the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision, and whether or not they are noted on the plan herein presented, are to remain in full force and effect.
22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
23. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no lights or glare from lights will shine into the abutting residential areas.



24. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

25. That the 8 foot pedestrian pathway be installed on Card Road and noted on the plan.
26. That the dumpster area be relocated to the southwest corner of the parking lot.
27. That the greenbelt be enhanced to the Planning Consultants satisfaction with plantings between the parking lot and the north property line to prevent lights from vehicles from causing a nuisance to residence to the north.

**MOTION carried.**

7. **Revised Site Plan for Sales Trailer and Temporary Ground Sign(s); Hartford PUD;** Located on the southeast corner of 24 Mile Road and Card Road. Hartford Macomb L.L.C., Petitioner. Permanent Parcel No. 08-14-100-004

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval. It is also recommended that the temporary off site sign be denied since the zoning ordinance does not provide for off site signs.

Petitioner Present: Kelly Poniers

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Public Portion: A Township resident addressed her concerns regarding the hours of business of the construction and sales trailers.

**MOTION by KOEHS seconded by AUSILIO to deny the proposed off site signage for Hartford PUD; located on the northwest corner of 23 Mile and Card Roads since the zoning ordinance does not provide for off site signs. Permanent Parcel No. 08-14-100-004. This motion is based the Community Planning Consultants recommendations as follows:**

**The off-site sign which was planned to be installed on the northwest corner of 23 Mile Road and Card Road has been denied since no off site signs are allowed except in industrial zones.**

**MOTION carried.**

**MOTION by AUSILIO seconded by PENZIEN to approve the Revised Site Plan; Temporary Ground Sign(s); Hartford PUD for one (1) year pursuant to the Community Planning Consultants recommendations condition upon the amendment that the findings and recommendation reflect that the ground sign be limited to 64 square feet. Permanent Parcel No. 08-14-100-004. This motion is based on the Community Planning Consultants recommendations as follows:**

- 1. That Section 10.0319 of the Zoning Ordinance be met.**
- 2. That the ground sign be limited to 64 square feet**
- 3. That a \$500.00 cash bond be posted assuring the construction of the sign as approved.**

**MOTION carried.**

**MOTION by AUSILIO seconded by KOEHS to forward the recommendation to the Township Board of Trustees to approve the use of the Temporary Sales & Construction Trailer; Hartford PUD; Revised Site Plan for a period of one year. Permanent Parcel No. 08-14-100-004. This motion is based on the Community Planning Consultants recommendations as follows:**

- 1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.**
- 2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in**

connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.

3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
6. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount to be approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
7. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
8. That all signs be designated on the site plan and meet the Township requirements.
9. That the petitioner provide proper drainage (storm and sanitary) and a proper supply in accordance with the standards of the Township Water and Sewer Department and the County Drain Office.
10. That all requirements of the Zoning Ordinance be met.

11. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
12. That the use of the temporary sales trailer and the temporary sign shall be limited to one year from the date of this approval, after which time to be eliminated or approval extended by an action of the Planning Commission.
13. The petitioner to obtain approval from the Township Board for the use of the temporary trailers on the site.

**MOTION carried.**

8. **Special Land Use; Seneca Middle School;** Located on the northeast corner of 21 Mile Road and Heydenreich Road. Chippewa Valley School District, Petitioner. Permanent Parcel No. 08-27-300-011

Jerome R. Schmeiser, Community Planning Consultants, simultaneously reviewed the findings and recommendations for approval for agenda item numbers 8-9.

Petitioner Present: Jeffrey Atkins

Public Portion: None

**MOTION by KOEHS seconded by THOEL to approve the Special Land Use; Seneca Middle School; Permanent Parcel No. 08-27-300-011. This motion is based on the standard conditions of the Planning Consultants as follows:**

1. The proposed special land use of a middle school is of such location, size and character that it will be harmonious with the appropriate and orderly development of the surrounding neighborhood and/or vicinity, and shall be in compliance with the applicable regulations of the zoning district in which it is to be located.
2. The proposed use of a middle school is of such nature that vehicular and pedestrian traffic would not be more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow; proximity and relationship to intersections, adequacy of sight distances; location and access of off-street parking; and provisions for pedestrian traffic, with particular attention paid to minimizing child-vehicle interfacing.
3. The proposed use of a middle school is designed, with respect to the location, size, and intensity, site layout and periods of operation of any such proposed

use, to eliminate any possible nuisance emanating therefrom which might be noxious whether by reason of dust, noise, fumes, vibration, smoke or lights to others.

4. The proposed use of a middle school is such that the proposed location and height of buildings or structures, and the location, nature and height of walls, fences and landscaping, will not interfere with or discourage the appropriate development and use of adjacent land and buildings, or unreasonably affect the value of the land and/or buildings.
5. The proposed use of a middle school will relate harmoniously with the physical and economic aspects of adjacent land uses with regard to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township.
6. The proposed use is necessary for the public convenience at the proposed location.
7. The proposed use of a middle school is so designed, located and planned, and should be operated in such a manner that the public health, safety and welfare will be protected.
8. The proposed use of a middle school is not be detrimental or injurious to the neighborhood within which it is to be located, nor should such use operate as a deterrent to future land uses permitted within said zoning district, and such use will be in harmony with the general purpose and intent of the Zoning Ordinance.

**MOTION carried.**

9. **Site Plan; Seneca Middle School;** Located on the northeast corner of 21 Mile Road and Heydenreich Road. Chippewa Valley School District, Petitioner.  
Permanent Parcel No. 08-27-300-011

Jerome R. Schmeiser, Community Planning Consultants, simultaneously reviewed the findings and recommendations for approval for agenda item numbers 8-9.

Petitioner Present: Jeffrey Atkins

Public Portion: None

**MOTION by KOEHS seconded by THOEL to approve the Site Plan; Seneca Middle School pursuant upon submitting revised site plans reflecting the elimination of the two areas labeled as alternate on the plan and that the five foot wide pathway be**

replaced with eight foot wide pathways along 21 Mile Road and Heydenreich Roads. Permanent Parcel No. 08-27-300-011. This motion is based on the standard conditions of the Planning Consultants as follows:

1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount to be approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of

site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.

9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.
10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
11. That all signs be designated on the site plan and meet the Township requirements.
12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.

17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
18. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
20. That all requirements of the Zoning Ordinance be met.
21. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
22. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no light or glare from lights will shine into the abutting residential areas.
23. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.



24. **That twelve (12) revised plans be submitted showing the elimination of the two areas labeled as alternate on the plan and that the five foot wide pathway be replaced with eight foot wide pathways along 21 Mile Road and Heydenreich Roads.**

**MOTION carried.**

10. **Revised Landscape Plan; Hidden Meadows;** Located on the north side of 21 Mile Road approximately 238 feet east of Card Road; Casa Demar Development, Petitioner. Permanent Parcel No. 08-26-351-013

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner: Not present

Public Portion: None

**MOTION by ZOLNOSKI seconded by AUSILIO to approve the Revised Landscape Plan; Hidden Meadows conditioned on review and approval the Township Engineers. Permanent Parcel No. 08-26-351-013. This motion is based on the standard conditions of the Planning Consultants as follows:**

1. **The areas between the street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cements strip along the curb or street line is permitted.**
2. **That the petitioner's landscape architect assured the Planning Commission that the ajuga and the dwarf boxwood will not exceed a height of 2 feet.**
3. **That the loose materials (mulch) be eliminated from the plan.**
4. **That this approval has involved only the boulevard island and no other part or portion of the subdivision.**

**MOTION carried.**

11. **Special Land Use; Premier Training Center;** Located on the Northwest corner of Quadrate and Angelo Drives; Quadrate Development, LLC, Petitioner. Permanent Parcel No. 08-18-474-001

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Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Michael D'Agostini

Public Portion: None

**MOTION by AUSILIO seconded by PENZIEN to approve the Special Land Use; Premier Training Center pursuant to the recommendations of the Planning Consultants, specifically finding that the petitioner has met the requirements of 10.2401 (B) 5a. as enumerated by the Planning Consultant. With the special caveats that all training sessions be continued inside the building with no training activities planned or demonstrations be made outside the building. That the building be utilized as a instructional facility with no competitive team events held therein. Permanent Parcel No. 08-18-474-001. This motion is based on the standard conditions of the Planning Consultants recommendations as follows:**

- 1. The proposed Special Land Use for the training center is of such location, size and character that it will be harmonious with the appropriate and orderly development of the surrounding neighborhood and/or vicinity, and shall be in compliance with the applicable regulations of the zoning district in which it is to be located.**
- 2. The proposed training center appears to be of such nature that vehicular and pedestrian traffic shall not be more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow; proximity and relationship to intersections, adequacy of sight distances; location and access of off-street parking; and provisions for pedestrian traffic, with particular attention paid to minimizing child-vehicle interfacing.**
- 3. The proposed training center would be designed, with respect to the location, size, and intensity, site layout and periods of operation of any such proposed use, to eliminate any possible nuisance emanating there from which might be noxious whether by reason of dust, noise, fumes, vibration, smoke or lights to others.**
- 4. The proposed training center is such that the proposed location and height of buildings or structures, and the location, nature and height of walls, fences and landscaping, will not interfere with or discourage the appropriate development and use of adjacent land and buildings, or unreasonably affect the value of the land and/or other buildings.**

5. The proposed training center relates harmoniously with the physical and economic aspects of adjacent land uses with regard to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township
6. The proposed training center is necessary for the public convenience at the proposed location.
7. The proposed training center is so designed, located and planned, and shall be operated in such a manner that the public health, safety and welfare will be protected.
8. The proposed training center will not be detrimental or injurious to the neighborhood within which it is to be located, nor shall such use operate as a deterrent to future land uses permitted within said zoning district, and such use shall be in harmony with the general purpose and intent of the Zoning Ordinance.

The Special Land Use is approved contingent upon the following special conditions:

1. That all training sessions be confined to inside the building with no training activities planned or demonstrations be made outside the building.
2. That the building be utilized as an instructional facility with no competitive/team events held therein.

**MOTION carried.**

Addition:

12. Technical Change to Site Plan; Hall Road Office Buildings; Located on the north side of Hall Road approximately ¼ mile west of Romeo Plank Road; Russell Craig, Petitioner. Permanent Parcel No. 08-32-400-013.

Petitioner Presents: Roger Hide, Dr. Russell Craig and Philip Leone

Mr. Hide indicated that the petitioner is having a difficult time with the developing the six (6) foot concrete fence on the north property line with adjacent property owners.

**MOTION by KOEHS seconded by AUSILIO to approve the Technical Change to the Site Plan for the Hall Road Office Buildings to allow the construction of a reinforced masonry wall instead of a poured concrete wall pursuant to The Land Division Ordinance Section 10.0344 and conditioned upon approval by the Zoning Board of Appeals. Finally, this approval is contingent upon the filing of a Technical Change Application and the filing of the appropriate fees. Permanent Parcel No.**

**08-32-400-013.** This motion is based on the Community Planning Consultants recommendations as follows:

To approve a Technical Change to allow the construction of a reinforced masonry wall conditioned upon receiving Zoning Board of Appeals approval. *(It had further been discovered that according to Section 10.0344 either a six foot brick wall or a six foot concrete poured wall may be constructed and that a Zoning Board of Appeals approval would no longer be necessary)*

Finally, this approval is contingent upon the filing of a Technical Change Application (included) and the filing of the appropriate fees.

**MOTION carried.**

**PLANNING CONSULTANTS COMMENTS:** None

**PLANNING COMMISSION COMMENTS:** None

13. Motion to receive and file all correspondence in connection with this agenda.

**MOTION by PENZIEN seconded by KOEHS to receive and file all correspondence in connection with this agenda.**

**MOTION carried.**

**ADJOURNMENT:**

**MOTION by KOEHS seconded by ZOLNOSKI to adjourn this meeting at 9:05 P.M.**

**MOTION carried.**

Respectfully submitted,

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Edward Gallagher, Chairman

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Michael D. Koehs, CMC  
Macomb Township Clerk  
MDK/gmb